

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

FIELDWOOD ENERGY LLC, *et al.*,¹

Debtors.

Chapter 11

Case No. 20-33948 (MI)

(Jointly Administered)

**DECLARATION OF
KELLY E. SINGER IN SUPPORT OF
ECOPETROL AMERICA LLC'S OBJECTION TO
(I) FOURTH AMENDED JOINT CHAPTER 11 PLAN OF FIELDWOOD
ENERGY LLC AND ITS AFFILIATED DEBTORS, AND (II) NOTICE
TO CONTRACT PARTIES TO EXECUTORY CONTRACTS AND UNEXPIRED
LEASES OF THE SCHEDULE OF ASSUMED CONTRACTS AND CURE AMOUNTS**

I, Kelly E. Singer, hereby declare under penalty of perjury and pursuant to 28 U.S.C. § 1746 that the following is true and correct to the best of my knowledge and belief:

1. I am a partner in the law firm of Squire Patton Boggs (US) LLP ("Squire" or the "Firm"), which maintains offices for the practice of law at, among other locations, 1 E Washington St #2700, Phoenix, Arizona 85004. I am admitted, practicing, and a member in good standing of the bars of the State of Arizona and I reside in the Phoenix, Arizona office of the Firm. There are no disciplinary proceedings pending against me.

2. Squire has been retained as Ecopetrol America LLC's ("Ecopetrol") bankruptcy counsel and I have been authorized by the Court to represent Ecopetrol in these chapter 11 cases

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, as applicable, are: Dynamic Offshore Resources NS, LLC (0158); Fieldwood Energy LLC (6778); Fieldwood Energy Inc. (4991); Fieldwood Energy Offshore LLC (4494); Fieldwood Onshore LLC (3489); Fieldwood SD Offshore LLC (8786); Fieldwood Offshore LLC (2930); FW GOM Pipeline, Inc. (8440); GOM Shelf LLC (8107); Bandon Oil and Gas GP, LLC (9172); Bandon Oil and Gas, LP (9266); Fieldwood Energy SP LLC (1971); Galveston Bay Pipeline LLC (5703); and Galveston Bay Processing LLC (0422). The Debtors' primary mailing address is 2000 W. Sam Houston Parkway S., Suite 1200, Houston, TX 77042.

pro hac vice [Docket Nos. 590, 1062]. I am authorized to submit this declaration on behalf of Squire and Ecopetrol in support of *Ecopetrol America LLC's Objection to (I) Fourth Amended Joint Chapter 11 Plan of Fieldwood Energy LLC and Its Affiliated Debtors, and (II) Notice to Contract Parties to Executory Contracts and Unexpired Leases of the Schedule of Assumed Contracts and Cure Amounts* (the "Objection").²

3. Except as otherwise indicated, all statements set forth in this declaration are based on (a) my personal knowledge, (b) my review of relevant documents, and/or (c) my opinion based upon my experience. If called to testify, I could and would testify to the facts and the opinions set forth herein.

4. Starting in approximately January 2021, I began contacting the Debtors' legal counsel over the telephone and through e-mail to request an accounting record from Fieldwood concerning the UOA, specifically related to third-party invoices, paid invoices, and Invoice Reimbursement Payments (the "Accounting"). Counsel had indicated it would provide such Accounting to me. I continued to ask for the Accounting over the next few months following January 2021.

5. On April 8, 2021, I sent an e-mail to the Debtors' counsel again requesting the Accounting and further requesting that I not be required to submit a formal request (*e.g.*, 2004 request or other formal request). I also asked for an extension of time to obtain the Accounting (to the extent the Court's discovery period applied to Ecopetrol in this regard). Counsel responded that day in the affirmative.

6. I have requested the Accounting at least twice again since April 8 over e-mail. While counsel has indicated that it would provide the Accounting and has worked with me to avoid

² Capitalized terms used but not otherwise defined herein have the meanings set forth in the Objection.

the unnecessary expense of submitting a formal discovery request, I have not received the Accounting as of the date of this declaration.

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Dated: June 2, 2021

/s/ Kelly E. Singer

Kelly E. Singer

Partner

Squire Patton Boggs (US) LLP